

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

|                              |   |                        |
|------------------------------|---|------------------------|
| RESTORATION ST. LOUIS, INC., | ) |                        |
|                              | ) |                        |
| Plaintiff,                   | ) |                        |
|                              | ) |                        |
| v.                           | ) | Case No. 4:13-cv-00669 |
|                              | ) |                        |
| 3RD ST. IA LLC,              | ) | JURY TRIAL DEMANDED    |
|                              | ) |                        |
| Defendant.                   | ) |                        |

**ANSWER TO ST. LOUIS TITLE, LLC'S CROSSCLAIM FOR INTERPLEADER**

COMES NOW Defendant 3RD ST. IA LLC ("3<sup>rd</sup> ST"), by and through counsel,  
and for Answer to St. Louis Title LLC's Crossclaim for Interpleader states as follows:

1. 3<sup>rd</sup> ST denies the allegations of paragraph 1 for lack of information.
2. 3<sup>rd</sup> ST admits the allegations of paragraph 2.
3. 3<sup>rd</sup> ST admits the allegations of paragraph 3.
4. 3<sup>rd</sup> ST denies the allegations of paragraph 4.
5. 3<sup>rd</sup> ST admits the allegations of paragraph 5.
6. 3<sup>rd</sup> ST lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in paragraph 6.
7. 3<sup>rd</sup> ST admits the allegations of paragraph 7.
8. 3<sup>rd</sup> ST denies the allegations of paragraph 8.
9. 3<sup>rd</sup> ST lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in paragraph 9.

10. 3<sup>rd</sup> ST denies the allegations of paragraph 10.

#### **AFFIRMATIVE DEFENSES**

1. 3<sup>rd</sup> ST is not personally subject to the jurisdiction of this Court and hereby asserts lack of personal jurisdiction pursuant to Federal Rule of Civil Procedure 12(b)(2). 3<sup>rd</sup> ST contends that the entire controversy, including the Counterclaim and Crossclaim for Interpleader should be dismissed or transferred to the United States District Court for the Southern District of Iowa.<sup>1</sup>

2. Intervener has failed to state a claim upon which relief can be granted.

WHEREFORE, Defendant 3<sup>rd</sup> ST respectfully requests that the Court dismiss Intervener's Crossclaim, enter judgment in favor of 3<sup>rd</sup> ST IA LLC, assess costs of this action against Intervener and grant such other and further relief as deemed equitable in the premises.

Respectfully submitted,

/s/ Mark A. Roberts

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<sup>1</sup> As of this Answer, 3<sup>rd</sup> ST IA LLCs motion to dismiss Restoration St. Louis's Complaint for lack of personal jurisdiction is pending. Depending on the Court's ruling on such motion, 3<sup>rd</sup> ST intends to seek dismissal of the Counterclaim and Crossclaim for Interpleader.

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**Attorneys for Defendant 3RD ST. IA LLC**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing was filed using the Court's electronic filing system, served via that system to those registered, on this 23<sup>rd</sup> day of May, upon the following:

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/s/ Mark A. Roberts